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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 SAID ELMAJZOUB,
12 Plaintiff,
13 vs.
14 JAMES DZURENDA, et al.,
15 Defendants.

Case No. 3:19-cv-00196-MMD-WGC

**STIPULATION AND ORDER TO EXTEND
DISCOVERY AND CASE SCHEDULING
DEADLINES (THIRD REQUEST)**

16 Pursuant to Local Rule IA 6-1 and 26-3, Defendants, Renee Baker, Tara Carpenter, Scott Davis,
17 Marc La Fleur, and Kim Thomas, by and through counsel, Aaron D. Ford, Attorney General of the
18 State of Nevada, and John C. Dorame, Deputy Attorney General, and Plaintiff, Said Elmajzoub, by and
19 through his counsel, CAIR Legal Defense Fund, Gadeir I. Abbas, Lena F. Masri, Justin Sadowsky, and
20 Allen Lichtenstein, respectfully submit the following Stipulation and Order to Extend Discovery and
21 Case Scheduling Deadlines.

22 **I. DISCOVERY COMPLETED**

- 23 • Interrogatories [Set One] Scott Davis
24 • Request for Production of Documents [Set One] Scott Davis
25 • Deposition of Renee Baker
26 • Deposition of Tara Carpenter
27 • Deposition of Scott Davis
28 • Deposition of Marc La Fleur

- Deposition of NDOC's NRCP 30(b)(6) designee
 - Deposition of Tim Garrett, Warden of Lovelock Correctional Center

II. DISCOVERY THAT REMAINS TO BE COMPLETE

No additional discovery is needed in this matter. The remaining case management deadlines are:

Dispositive motion deadline: **November 23, 2021**

Joint pretrial order (if no dispositive motions filed): **December 23, 2021**

III. REASONS WHY THE DEADLINES WERE NOT SATISFIED

Defendants' prior counsel recently left the division and this matter was subsequently assigned to current counsel on November 8, 2021. (ECF No. 51). This matter is but one of several cases current counsel inherited from prior counsel that has similar pending deadlines, all set to run within the next two (2) to three (3) weeks. This is in addition to various deadlines counsel had in his own case prior to being assigned to these various matters. For example, counsel has in the past two (2) weeks had two (2) early mediation conference statements due and has had to respond to several other motions filed in various matters.

Further, during the week this dispositive motion is due, undersigned counsel has two (2) early mediation settlement conferences scheduled and has deadlines on another dispositive motion, which is due the same day as the motion in this matter. These deadlines are in addition to other routine deadlines throughout counsel's caseload.

Upon being assigned the matter, and realizing the dispositive motion deadline was fast approaching, undersigned counsel requested of Plaintiff's counsel to stipulate to an extension. Given current defense counsel's unfamiliarity with the case, the parties agreed that a forty-five (45) day extension of the dispositive motion deadline was appropriate to permit counsel to get familiarized with the instant matter.

Similarly, the parties recognize that this stipulation amends this Court's Scheduling Order and that it was not filed twenty-one (21) days prior to the above-referenced deadlines the parties seek to amend. (ECF No. 31 at 5:5-9). However, the parties believe excusable neglect exists in that the prior DAG assigned to this matter was transitioning to another department and current counsel was not assigned this matter until the twenty-one (21) day requirement had already passed.

1 **IV. PROPOSED SCHEDULE**

2 The current deadline for dispositive motions is November 23, 2021. The parties stipulate this
3 deadline be extended to **January 7, 2022**.

4 The parties must file a Joint Pretrial Order no later than December 23, 2021. The parties
5 stipulate this deadline be extended to **February 7, 2022**. In the event dispositive motions are filed, the
6 date for filing the Joint Pretrial Order shall be suspended until thirty (30) days after a decision on the
7 dispositive motions or further order of the Court.

8 DATED this 22nd day of November, 2021.

9 AARON D. FORD
10 Attorney General

11 By:

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12 Deputy Attorney General

13 *John C. Dorame*
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15 CAIR Legal Defense Fund

16 By:

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Based on the foregoing stipulation of the parties, IT IS ORDERED that the discovery, dispositive motion, and joint pretrial order deadlines be extended as described.

IT IS SO ORDERED

Walter G. Cobb
U.S. MAGISTRATE JUDGE

Dated: November 23, 2021